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10/032,245	12/21/2001	Christen K. Pedersen	100110550	6661

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EXAMINER

REILLY, SEAN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/032,245	Applicant(s) PEDERSEN, CHRISTEN K.	
	Examiner Sean Reilly	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on December 12, 2005. Claims 1-36 are presented for further examination. All independent claims have been amended.

Specification

Applicant's amendments to the specification as submitted December 12, 2005 are accepted and entered into the record.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. With regard to claims 1-36, Applicant recites "said network connectivity information is generically used to establish communication," the use of the term *generically* renders each claim indefinite. It is simply not clear when the *use* of connection information would be considered generic or not generic. It is noted the Applicant failed to recite the terms "generic" or "generically" anywhere in the specification.
3. Additionally with regard to claim 1, it is presumed that the newly added limitation "wherein said network connectivity information provides information specific to said associated electronic

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device is generically used to establish communication between said associated electronic device and each of said other electronic devices,” should include the conjunction AND; “wherein said network connectivity information provides information specific to said associated electronic device **and** is generically used to establish communication between said associated electronic device and each of said other electronic devices.”

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 5-20 and 22-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Blight et al. (U.S. Patent 6,785,542; hereinafter Blight).

5. Regarding claim 1, Blight discloses a communication system comprising:

- a communication network (Figure 6); and
- a plurality of electronic devices coupled to said communication network (Figure 6, e.g. 100d, 235a, 235b), each of said plurality of electronic devices including a selector for initiating a user initiated communication interface (resource proxy) that when enabled presents (e.g. user requests of available resources which are present in an HTML page, Col 14, lines 56-65) network connectivity information (Col 10, lines 39-60) specific to an associated electronic device implementing said communication

interface (location based resources available to that mobile device, Col 10, lines 22-33), where said network connectivity information is necessary for establishing communication paths (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) between said associated electronic device and other electronic devices coupled to said communication network (Col 3, lines 10-21), wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

6. Regarding claim 11, Blight discloses a method of connection comprising:

- providing a communication interface (resource proxy) on an electronic device coupled to a communication network that when initiated by a user provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information (e.g. a URL, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63) specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21) wherein said network connectivity information provides information

specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

- Prompting through said communication interface for said user to provide through said communication interface said network connectivity information to establish a communication path through said communication network to a second electronic device (i.e. the user selects a resource URL from the HTML page of available resource URLs and wherein the URL is used to establish a communication path; see inter alia, Col 14, line 56 - Col 16, line 9); and
- Prompting through said communication interface for said user to provide through said communication interface network connectivity information specific to said second electronic device to establish said communication path (i.e. the user selects a resource URL from the HTML page of available resource URLs and wherein the URL is used to establish a communication path; see inter alia, Col 14, line 56 - Col 16, line 9), wherein said network connectivity information specific to said second electronic device is generically used to establish communication between said second electronic device and any device coupled to said communication network (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-

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62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

7. Regarding claim 19, Blight discloses a method of connection comprising:

- a) at a first electronic device, acknowledging the initiation of a communication interface by a user, said first electronic device coupled to a communication network (Col 16, lines 53-57);
- b) providing to said user (e.g. HTML page of available resources, Col 14, lines 56-65) network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to other electronic devices coupled to said communication network (Col 14, lines 61-65; Col 15, lines 7-9) wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

8. Regarding claim 29, Blight discloses a computer system comprising:

- a processor (inherent); and

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- a computer readable memory coupled to said processor and containing program instructions that, when executed, implement a method of connection comprising (inherent):
- providing a communication interface on an electronic device coupled to a communication network that when initiated by a user provides to said user (e.g. HTML page of available resources, Col 14, lines 56-65) pertinent network connectivity information specific to said electronic device (location based resources available to that mobile device, Col 10, lines 22-33) necessary for establishing communication paths with other devices coupled to said communication network (Col 3, lines 10-21) wherein said network connectivity information provides information specific to said associated electronic device (i.e. the resources are location based resources available to that mobile device, Col 10, lines 22-33) and is generically used to establish communication between said associated electronic device and each of said other electronic devices (e.g. the system uses the resource URLs of each resource that are technology independent (Col 9, lines 58-62) to establish communication between the electronic device and each resource, see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63 and Col 15, lines 7-9).

9. Regarding claim 5, Blight discloses one of said plurality of electronic devices is a mobile device (Col 3, line 11).

10. Regarding claim 6, Blight discloses one of said plurality of electronic devices is a personal digital assistant (PDA) (Col 2, line 49).

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11. Regarding claims 7 and 22-23, Blight discloses the communication system wherein said selector is a button (Button – Col 6, lines 17-20; for selection - Col 14, lines 61-65 and Col 15, lines 7-9).

12. Regarding claims 8 and 24, Blight discloses said selector is a software enabled selector located on a display of associated electronic devices (Col 14, lines 61-65; Col 15, lines 7-9).

13. Regarding claim 9, Blight discloses each of said plurality of electronic devices comprise a graphical user interface (Col 6, line 6) for assisting users to establish said communication paths over said communication network (Col 14, lines 61-65; Col 15, lines 7-9).

14. Regarding claim 10, Blight discloses said communication network is a wide area network (Col 9, lines 4-11).

15. Regarding claims 12 and 30, Blight discloses the method of connection as described in claim 11, further comprising:

- providing said communication interface universally on a plurality of electronic devices coupled to said communication network (Col 10, lines 16-19); and
- providing pertinent network connectivity information for electronic devices upon initiating their respective communication interfaces for establishing said communication paths with other devices coupled to said communication network (Col 14, lines 61-65).

16. Regarding claims 13 and 31, Blight discloses automatically establishing a communication path between a first and second electronic device when their associated first and second communication interfaces, respectively, have been initiated under a condition (Selecting to make such a connection Col 15, lines 7-9 and inherently accepting the connection on the other end).

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17. Regarding claims 14 and 32, Blight discloses said condition is initiating said first and second communication interfaces within a period of time. It is inherent that such a connection establishment must occur in a given time period.

18. Regarding claims 15 and 33, Blight discloses said condition is initiating said first and second communication interfaces within a geographical location (Col 8, line 64 – Col 9, line 1).

19. Regarding claims 16 and 34, Blight discloses said network connectivity information is a device identification (ID) (Col 10, lines 52-53).

20. Regarding claims 17, 25, and 35 Blight discloses assisting said user of said electronic device through a graphical user interface to establish a communication path between said electronic device and a second electronic device chosen by said user, said second electronic device located on said communication network (Col 14, lines 61-65; Col 15, lines 7-9).

21. Regarding claims 18, 26, and 36, Blight discloses providing a set of possible connections to other known devices located on said communication network for selection by said user (Col 14, lines 61-65; Col 15, lines 7-9).

22. Regarding claim 20, Blight discloses providing said network connectivity information on a display of said electronic device (Col 14, lines 61-65).

23. Regarding claim 27, Blight discloses prompting said user of said electronic device for other network connectivity information from said second electronic device obtained by initiating a second communication interface at said second electronic device (Col 16, lines 37-52).

24. Regarding claim 28, Blight discloses said network connectivity information is an internet protocol (IP) address (Col 16, line 67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (U.S. Patent 6,785,542; hereinafter Blight) as applied above, and further in view of Gaucher (U.S. Patent Number 6,175,860).

26. Regarding claim 2, Blight discloses a communication interface for monitoring initiations of said communication interfaces by said plurality of electronic devices (Col 3, lines 10-21), and for establishing a communication path automatically between a first and second electronic device of said plurality of electronic devices when their associated first and second communication interfaces, respectively, have been initiated under a condition (Col 14, lines 61-65; Selecting to make such a connection Col 15, lines 7-9 and accepting the connection on the other end). While Blight discloses the communication interface (resource proxy) of a given device centrally monitors initiations of said communication interfaces by said plurality of electronic devices, the monitoring communication interface functionality is not central (ie. one central server does not exist for monitoring all the devices; instead each electronic device monitors the entire network on its own). Nevertheless, centrally monitoring initiations of communication interfaces within a given network was well known in the art at the time of invention, as evidenced by Gaucher. In a related art, Gaucher discloses a central server (master computer) (Col 2, lines 49-56), which monitors initiations of communication interfaces (appliance boxes) (Col 3, lines 24-27). It

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would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Blight to use a central server for monitoring initiations of communication interfaces, as disclosed by Gaucher, since such a scheme is simple in setup, operation and cost (Gaucher Col 2, lines 18-19).

27. Regarding claims 3-4, the limitations of claims 3 and 4 are similarly drawn to the limitations of claims 14 and 15, respectfully, thus they are rejected using similar rational.

28. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (U.S. Patent 6,785,542; hereinafter Blight).

29. Regarding claim 19, as discussed above Blight discloses providing network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to other electronic devices coupled to said communication network (Col 14, lines 61-65; Col 15, lines 7-9). Blight further discloses providing such information in the form of a webpage (Col 14, lines 56-65). The Examiner takes Official Notice that it was well known in the art at the time of invention to print webpages, thereby generating a hard copy of the webpage. It would have been obvious to one of ordinary skill in the art at the time of invention to print the network connectivity information generated in webpage form by Blight's system in order to allow the connectivity information to be viewed without the use of an electronic device.

Response to Arguments

30. In response to Applicant's request for reconsideration filed on December 12, 2005, the following factual arguments are noted:

- a. Blight failed to disclose network connectivity information is *generically* used to establish communications.
- b. Blight failed to disclose *prompting* for the user of the system to provide connectivity information to establish a communication path to a second network electronic device.

In considering (a), Examiner respectfully disagrees with Applicant's argument. Foremost the meaning of using network connectivity information *generically* is not clear in the context of the claims or Applicant's arguments. Applicant states that in the claimed invention network connectivity information is *generically* used to establish communications (December 12, 2005 Arguments pg 17, last ¶) and further asserts that "This is in direct contract to the Blight et a. reference, in which, information stored cannot be generically used to establish communication between the associated electronic device and each of the other electronic devices" (pg 17 last ¶ continued on pg 18). To support this assertion Applicant provides the example "information that the device A is within a certain location and available for communication with an associated electronic device is not useful in establishing communication between the associated electronic device and another device B." Examiner respectfully disagrees with this analysis. Blight's system provides more information than Applicant asserts. In particular Blight's system provides a list of available resources to a device (i.e. a device A as Applicant references in the above argument) in the form of an HTML webpage that lists **URLs (Uniform Resource Locators)** to

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other resources (i.e. a device B as Applicant references in the above argument) available on the network (Col 14, lines 56-65). The URLs provided are certainly useful in establishing communication between the electronic device A and another device B, as the URLs are essential for establishing the respective connections (see inter alia, Col 9, lines 58-62, Col 10, lines 65-68 or Col 14, 61-63). Further the URLs in Blight's system may be considered generic insomuch as they are not technology specific (see Blight Col 9, lines 58-62) and any device on the network uses the same URL to connect to the particular device referenced in the URL.

In considering (b), Examiner respectfully disagrees with Applicant's argument. Applicant asserts Blight failed to disclose *prompting* the user of the system to provide connectivity information to establish a communication path to a second network electronic device. Examiner respectfully disagrees. Blight clearly disclosed prompting the user to enter connectivity information to establish a communication path to a second network electronic device. For instance in Blight's system the user requests an HTML page that lists available resources (Col 14, lines 56-67). The system then displays the list of available resources, which is a prompt for the user to enter a URL they wish to connect to (i.e. select the URL link on the available resources webpage the user wishes to connect to, see inter alia, Col 15, lines 7-9).

Conclusion

31. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

32. This office action is made **NON-FINAL**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 2, 2006


KRISNA LIM
PRIMARY EXAMINER